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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 2874

Keiji KAMIYAMA et al. : Docket No. 2001\_0710A

Serial No. 09/857,887 : Group Art Unit 1654

Filed June 13, 2001

: Examiner Michael V. Meller

AUG 29 2003

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POLYOL COMPOUNDS, THEIR PRODUCTION  
AND USE

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

This is responsive to the Official Action dated May 20, 2003.

Claims 1-11 are rejected under 35 USC 102(e) as anticipated by WO 99/02549 or Miyagawa et al., U.S. Patent No. 6,423,869.

Claims 1-11 are further rejected under 35 USC 103 as being unpatentable over WO 99/02549 or Miyagawa et al.

These grounds of rejection are respectfully traversed.

The present application claims the benefit of the filing date of a Japanese priority application no. 001898/1999 filed January 7, 1999. This filing date is prior to the 102(a) publication date of the cited WO patent, which is January 21, 1999. The filing date of the Japanese priority application is also prior to the publication date of U.S. Patent No. 6,423,869, which is July 23, 2002.

Since the cited '869 patent is a national stage of an international application file prior to November 29, 2000, the '869 patent is subject to the 102(e) rules prior to the AIPA amendment

affected November 29, 2000. Thus, the 102(e) prior art date of the '869 patent is the date of fulfilment of the requirements under 35 USC 371(c)(1), (2) and (4), which is November 1, 1999.


Submitted herewith is a verified English translation of the Japanese priority application. As is apparent from the translation, the instant claims are fully supported by the Japanese priority application,. Accordingly, the present application can enjoy the benefit of the filing date of January 7, 1999 under 35 USC 119.

Accordingly, both cited references are removed as prior art, and all grounds of rejection have been overcome.

Respectfully submitted,

Keiji KAMIYAMA et al.

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